

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8814 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ABDULRAUF JALALUDDIN AHMED ANSARI

Versus

UNION OF INDIA

Appearance:

MR GN MANSURI for Petitioner

MR BHARAT T RAO for Respondent No. 1, 2

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 11/12/97

ORAL JUDGEMENT

Rule. Service of Rule waived by Mr.B.T.Rao, learned Addl. Standing Counsel for the respondents.
2. The facts and the statement of events set out by the petitioner indicates that he joined the service under respondent No.2 on or around 1.4.1969. He was last posted at Gandhinagar and he had been working as Sub-Inspector (Radio Operator). He has been sought to be transferred

from Gandhinagar to Manipur as per order dated 13.11.1997 which has been subjected to challenge in this petition under Article 226 of the Constitution of India.

2. I have heard the learned Advocate for the petitioner and the learned Addl. Standing Counsel for the respondents. The petitioner's representation dated 19.11.1997 is still pending consideration by the concerned Authority of the respondents. The circumstances including the family circumstances which have been set out by the petitioner in his representation will obviously deserve sympathetic consideration at the hands of such Authority. Besides, the petitioner is to retire shortly, namely, after a period of about one year and 9 months. This fact also would deserve consideration at the hands of such Authority. Hence, following direction is issued :

The representation dated 19.11.1997, submitted by the petitioner, shall be considered in accordance with law, but with sympathetic consideration from the aforesaid points of view, and decided within a period of 2 months from the date of receipt of writ of this direction. It is clarified that it will be open to the petitioner to move appropriate representation with regard to the Quarter held by the petitioner, to the concerned Competent Authority.

Rule made absolute only in the aforesaid terms.
No order as to costs.

D.S. Permitted.

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